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PAGE 01 SAIGON 12318 040837Z

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FM AMEMBASSY SAIGON
TO SECSTATE WASHDC PRIORITY 8177
INFO AMEMBASSY BANGKOK
CINCPAC
AMCONSUL DANANG
USDEL FRANCE
AMEMBASSY PHNOM PENH
AMEMBASSY VIENTIANE

UNCLAS SAIGON 12318

CINCPAC FOR POLAD

SUBJECT: PRIME MINISTER DEFENDS PROVINCE CHIEFS ON ENDORSEMENT PROCEDURES

1. A COMMUNIQUE ISSUED AUGUST 3 BY THE PRIME MINISTER'S OFFICE DEFENDED PROVINCE CHIEFS AND MAYORS AGAINST CHARGES THAT THEY HAD OBSTRUCTED AND DELAYED CERTIFICATION OF THE ENDORSEMENTS OF PROVINCIAL AND MUNCIPAL COUNCILORS FOR THE KY SLATE, AND ALSO EXPLAINED THAT IT WAS LEGALLY IMPOSSIBLE FOR THESE OFFICIALS TO CERTIFY A SECOND ENDORSEMENT IN THE CASE OF A COUNCILMAN WHO HAD ALREADY ENDORSED ANOTHER SLATE. (SOME COUNCILMEN WHO EARLIER ENDORSED THIEU HAVE RECENTLY BEEN REQUESTING CERTIFICATION OF ENDORSEMENTS FOR KY.) AN EMBASSY TRANSLATION OF THE COMMUNIQUE WHICH WAS READ OVER TV AND RADIO FOLLOWS:

2. BEGIN TEXT. IN RECENT DAYS, A NUMBER OF PAPERS HAVE PRINTED REPORT THAT IN SOME TOWNS AND PROVINCES, LOCAL AUTHORITIES HAVE REFUSED OR DELAYED CERTIFYING ENDORSEMENT PAPERS OF A NUMBER OF COUNCILORS FOR PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES.

(1)

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY Joan Zenbeck DATE 1/26/82
RDS[ ] or XD[ ] EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKING[ ]
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PAGE 02 SAIGON 12318 040837Z

3. AFTER HAVING RECEIVED REPORTS FROM PROVINCE CHIEFS AND MAYORS THROUGHOUT THE COUNTRY, AND AFTER HAVING CHECKED COMPLETELY, THE PRIME MINISTER'S OFFICE ANNOUNCES THAT, UP TO NOW, THERE HAS BEEN ABSOLUTELY NO CASE OF CAUSING BXIES#

OR DELAY IN THE MATTERS OF CERTIFYING ENDORSEMENT PAPERS OF COUNCILORS FOR PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES.

4. SOME EVENTS HAVE OCCURRED IN AN GIANG, VUNG TAU, GIA DINH AND BIEN HOA AND THE TRUTH OF THESE CASES IS AS FOLLOWS:

5. A NUMBER OF COUNCILORS HAD SIGNED ENDORSEMENT PAPERS FOR A SLATE AND THESE PAPERS HAD BEEN CERTIFIED BY THE MAYORS AND PROVINCE CHIEFS. BUT AFTER THAT THESE SAME COUNCILORS SIGNED A SECOND TIME FOR ANOTHER SLATE AND REQUESTED THE MAYORS AND PROVINCE CHIEFS TO CERTIFY THEIR SIGNATURES AGAIN.

6. THE MAYORS AND PROVINCE CHIEFS HAVE REFUSED TO CERTIFY THE SECOND TIME BECAUSE LAW 09/71 FIXING THE PROCEDURES FOR THE PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTION IN ARTICLE 10, PARAGRAPH 7 STATES CLEARLY THAT:

7. "FOR COUNCILORS, ENDORSEMENT PAPERS MUST BE CERTIFIED BY THE APPROPRIATE MAYOR OR PROVINCE CHIEF. EACH SENATOR, DEPUTY OR COUNCILOR HAS THE RIGHT TO ENDORSE ONLY ONE SLATE ONE TIME. THE CHAIRMAN OF THE UPPER HOUSE, THE CHAIRMAN OF THE LOWER HOUSE, AND THE MAYORS AND PROVINCE CHIEFS ONLY CONFIRM OR CERTIFY SIGNATURES ON ENDORSEMENT PAPERS ONE TIME FOR EACH SENATOR, DEPUTY OR COUNCILOR. THIS ENDORSEMENT CANNOT BE WITHDRAWN AFTER ENDORSEMENT PAPER HAS BEEN TRANSMITTED TOTHE SLATE BEING ENDORSED".

8. THUS, THE OFFICE OF THE PRIME MINISTER AFFIRMS THAT THE ACTIONS OF THE MAYORS AND PROVINCE CHIEFS WHO REFUSED TO CERTIFY SIGNATURES OF THOSE COUNCILORS FOR A SECOND TIME WERE COMPLETELY LEGAL AND IN PRECISE ACCORD WITH LAW 09/71. END TEXT.
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